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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/309,372	05/11/1999	KENNETH M. LASSESEN	3797.77742	7410

28319 7590 05/25/2004

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EXAMINER

NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
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2176

10

DATE MAILED: 05/25/2004

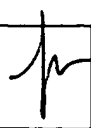
Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/309,372

Applicant(s)

LASSESEN, KENNETH M. 

Examiner

Maikhanh Nguyen

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-14 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendment C filed 03/12/2004 to the original application filed 05/11/1999.
2. Claims 1-14 are currently pending in this application. Claims 1, 6, and 14 have been amended by Applicant. Claims 1, 6, and 14 are independent claims.

Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language; or " (Emphasis added.)

Claims 1-14 remain rejected under 35 U.S.C. 102(e) as being anticipated by Heiny (U.S. 5,778,356).

As to independent claim 1, Heiny discloses (*Abstract*) a computer-readable medium having computer-executable instructions for performing steps comprising:

- allowing a user to select a language in which at least a portion of an electronic file is to be displayed (*e.g., a user ...can select one language from a list of available languages as the language in which he wants to view the retrieved information; col.13, lines 51-67*);

- receiving the electronic file at the user's computer (*e.g., the text that is to be displayed to a user ... when the user is viewing information; col.13, lines 45-50*) wherein the electronic file's content includes a first plurality of phrases, wherein each phrase of the first plurality of phrase is expressed a plurality of languages (*e.g., the character string corresponding to the native expression of the name of each language in its own language will be retrieved from each language object's language name list. Thus, if the languages of English, German and Spanish were available, the user would be presented with the choice to select: "English," "Deutsch," or "Espanol."; col.13, line 58- col.14, line 2*).

- at the user's computer, selecting , for display to the user, from the first plurality of phrases, a second plurality of phrases that are expressed in the language selected by the user; and displaying to the user the second plurality of phrases that are expressed in the language selected by the user (*a user can dynamically change the language that he is using to view ...select any one of the available languages, and the display will be updated to that everything on the display will changed to the new selected languages; col.14, lines 3-22*).

As to dependent claim 2, Heiny discloses the electronic file is received at the use's computer via the Internet (*Internet; col.3, lines 9-14*).

As to dependent claim 3, Heiny discloses the electronic file is an HTML document (*html; col.3, lines 9-14*).

As to dependent claim 4, Heiny discloses a Web browser displays the HTML document to the user (*browser application; col.3, lines 9-14*).

As to dependent claim 5, Heiny discloses the Web browser translates at least a portion of the HTML document into the language selected by the user (*e.g., A pull down menu may be*

accessed to select any one of the available languages, and the display will be updated so that everything on the display will be changed to the new selected language; col.14, lines 3-35).

As to independent claim 6, the rejection of claim 1 above is incorporated herein in full. Additionally, Heiny further discloses:

- assigning to at least one in the electronic file at least one identifier which corresponds to a translation in the electronic file for said at least one word (*the language name list 230 ... each pair contains a language handle 232 ... the language handle identifies a particular language; col.13, lines 39-50*);

- using an identifier from the plurality of identifiers, wherein the identifier corresponds to the language selected by the user, to obtain, from the respective translation in the electronic file, a translation, in the language selected by the user, for the at least one word (*the language name list may be used when it is desirable to display the name of language to a user ... can select one language from a list of available languages; col.13, lines 51-65*); and

- inserting the translation obtained from the electronic file into a translated electronic file (*a user can dynamically change the language ... a pull down menu may be accessed to select any one of the available languages ... changed to the new selected language; col.14, lines 3-35*).

As to dependent claim 7, it includes the same limitations as in claim 3, and is similarly rejected under the same rationale.

As to dependent claim 8, Heiny discloses the translation for said at least one word is stored in a data structure on a server (*client/server; col.4, lines 51-57*).

As to dependent claim 9, Heiny discloses the data structure is an array (*array; col.14, lines 41-67*).

As to dependent claim 10, it includes the same limitations as in claim 4, and is similarly rejected under the same rationale.

As to dependent claim 11, Heiny discloses the translated HTML document is provided to the user via the Internet (*the internet; col.3, lines 9-14*).

As to dependent claim 12, Heiny discloses a plurality of words in the HTML document are assigned a plurality of identifiers (*e.g., "English," "German" and "Greek"; and Fig.8B*).

As to dependent claim 13, Heiny discloses a plurality of phrases in the HTML document are assigned a plurality of identifiers that correspond to said translation (*e.g., the character string corresponding to the native expression of the name of each language in its own language will be retrieved from each language object's language name list. Thus, if the languages of English, German and Spanish were available, the user would be presented with the choice to select: "English," "Deutsch," or "Espanol. "; col.13, line 58- col.14, line 2*).

As to independent claim 14, the rejection of independent claim 6 above is incorporated herein in full.

Heiny further discloses replacing the plurality of words in the document by inserting into the document the selected plurality of respective translation for the plurality of word (*a user can dynamically change the language ... the display will be changed to the new selected language; col.14, lines 3-35*).

Response to Arguments

4. Applicant's arguments filed 03/12/2004 have been fully considered but they are not persuasive.

The broad claim language used continues to read on the references presented in the previous office action.

Applicant argues that *“Heiny does not disclose receiving the electronic file at the user’s computer wherein the electronic file’s content includes a first plurality of phrases, wherein each phrase of the first plurality of phrases is expressed in a plurality of language.”*(Remarks, page 6, lines 1-3)

In response, the Examiner contends that Heiny teaches receiving the electronic file at the user’s computer (e.g., the text that is to be displayed to a user ... when the user is viewing information; col.13, lines 45-50) wherein the electronic file’s content includes a first plurality of phrases, wherein each phrase of the first plurality of phrases is expressed in a plurality of languages (e.g., the character string corresponding to the native expression of the name of each language in its own language will be retrieved from each language object’s language name list. Thus, if the languages of English, German and Spanish were available, the user would be presented with the choice to select: “English,” “Deutsch,” or “Espanol.”; col.13, line 58- col.14, line 2)

Applicant argues that Heiny also does not teach or suggest selecting, for display to the user, from the first phrases, a second plurality of phrases that are expressed in the language selected by the user. (Remarks, page 6, lines 19-21)

In response, Heiny’s teaching “a user can dynamically change the language that he is using to view ...select any one of the available languages, and the display will be updated to that everything on the display will changed to the new selected languages.” (col.14, lines 3-22) meets the limitations as claimed by Applicant.

Applicant argues *“Hein does not teach or suggest assigning to at least one word in the electronic file a plurality of identifiers, wherein each identifier corresponds to one of a plurality of respective translation in the electronic file for the at least one word.”* (Remarks, page 7, lines 17-19)

In response, Hein teaches assigning to at least one word in the electronic file a plurality of identifiers, wherein each identifier corresponds to one of a plurality of respective translation in the electronic file for the at least one word (e.g., the language name list 230 ... each pair contains a language handle 232 ... the language handle identifies a particular language; col.13, lines 39-50).

Applicant argues that *“Heiny also does not teach or suggest using an identifier from the plurality of identifiers, wherein the identifier corresponds to the language selected by the user, to obtain, from the respective translation in the electronic file, a translation, in the language selected by the user, for the at least one word.”* (Remarks, page 7, lines 20-24)

In response, Heiny’s teaching “the language name list may be used when it is desirable to display the name of language to a user ... can select one language from a list of available languages.” (col.13, lines 51-65) meets the limitations as claimed by Applicant.

Conclusion

5. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (703) 306-0092. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on (703) 305-9792.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Maikhanh Nguyen
May 21, 2004


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER